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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,423	03/10/2004	George Christopher Dobrin	9181	4379

27752 7590 09/14/2005

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EXAMINER

BAHTA, ABRAHAM

ART UNIT PAPER NUMBER

1744

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/797,423	Applicant(s) DOBRIN ET AL.	
	Examiner Abraham Bahta	Art Unit 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/02/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 11, 14 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Otten et al (USP 6,257,785).

Claims 1, 14 and 20: Otten et al teach a disposable glove comprising a front panel, a back panel having a periphery wherein the front panel and back panel meet and form a seamless connection. The front panel has an inner surface and an outer surface that is opposite to the inner surface. The back panel has an inner surface and an outer surface that is opposite to the inner surface. See col. 3, lines 23-51. The glove further comprises an opening for inserting the user's hand. Otten et al teach the first or inner surface of the back panel and/or the second or outer surface of the front panel can comprise a fibrous material of non-woven material. See col. 4, lines 27-34. The glove is comprised of a selectively-activable sheet material which may be activated to deliver a substances such as gels, pastes, foams powder, agglomerated particles, perils, microencapsulated liquids, waxes, suspension and liquids which may be released when exposed to contact with external surfaces. See col. 4, line 54 through col. 5, line 9 and col. 7, lines 44-51.

Claim 2: Otten et al teach the glove may be differentially extensible wherein at least a portion of the glove extends and/contracts about a wearer's hand or wrist by utilizing a structural elastic-like film web. See col. 3, lines 52-67.

Claim 11: Otten et al teaches the applicator comprises surfactants. See col. 4, lines 32-34.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten et al.

Otten et al discussed above, do not require three layer laminate; however, Otten et al at col. 3, line 62 through col. 4, line 16 teach the glove may be provided with differentially extensible by utilizing a structural elastic-like web of a single layer or a laminate of two or more layer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the glove of Otten et al by providing an elastic web between two non-woven material so that the glove may have the property of

extending or contracting about a wearer's hand and enhance the mechanical strength of the layers from the glove is made.

Claim Rejections - 35 USC § 103

Claims 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Otten et al.

Otten et al teach the disposable glove as described above. Otten et al do not require the glove to have a width between about 80 mm and about 125 mm; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have constructed the glove of Otten et al in a desired width, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPq 233.

Claim Rejections - 35 USC § 103

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Otten et al as applied to claim 1 above and further in view of Giradot et al (USP 5412830).

Otten et al teach the glove as described above. Otten et al do not require one of panels to comprise a high loft batting material; however, utilizing a high loft batting for personal cleansing is well known as shown by Giradot et al. Giradot et al teaches an implement for personal cleansing comprising a non-woven high loft material. See col. 7, lines 45-48.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have employed a high loft material to the disposable glove of Otten et al so that the layer of high loft may feel soft to the user skin.

Claim Rejections - 35 USC § 103

Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten et al as applied to claim 3 above and further in view of Giradot et al (USP 5,412,830).

Otten et al teach the glove as described above. Otten et al do not require one of panels to comprise a high loft batting material; however, utilizing a high loft batting for personal cleansing is well known as shown by Giradot et al. Giradot et al teach an implement for personal cleansing comprising a non-woven high loft material. See col. 7, lines 45-48.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have employed a high loft material to the disposable glove of Otten et al so that the layer of high loft may feel soft to the user skin.

As to the limitation such that the first non-woven member comprises a C-folded around a nonwoven high loft batting, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have folded the non-woven material of Otten et al to ensure the mechanical strength of the glove.

Claim Rejections - 35 USC § 103

Claims 7-8 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten et al as applied to claim 1 above in view of Skews et al (USP 6,206,863).

Otten et al is discussed above. Otten et al do not specifically mention the non-woven material comprises natural fibers, synthetic fibers and combination thereof; however, Skews et al teach a mitt made of two non-woven layered sheet wherein the non-woven comprises cotton or polyester/cotton blend. See col. 6, lines 14-40.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have employed natural fibers, synthetic fibers and combinations thereof as disclosed by Skewes et al so that the mitt of Otten et al may absorb and hold a quantity of personal care composition.

Claim Rejections - 35 USC § 103

Claim 9-10, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten et al as applied to claim 1 above and further in view of WO/03/000106.

Otten et al is discussed above. Otten et al do not require a polyolefin film attached to one of the inner side of the panels; however, WO '106 teaches a disposable mitt comprising a wetting side and a drying side. The wetting side of the mitt comprises a body portion (20), cuff portion (21), central portion (22) and distal portion (23). The drying side of the mitt comprises a body portion (20), cuff portion (21), central portion (22), distal portion (23) and absorbent core. The mitt has an internal cavity,

which is accessible through an opening in the cuff portion, and extends inwardly to the distal portion, which is closed. The mitt has a front outer surface, a front inner surface, which corresponds to the wetting side of the mitt. The reference teaches a polyolefin film of polyethylene is attached to the inner side of the wet side. See page 6, last paragraph.

It would have been obvious to one of ordinary skill in the art at the time the interview was made to have attached a polyolefin film to one of the inner side of the panel disclosed in Otten et al so that the inner side of the panel may be impervious to fluids and protect the user's hand as taught by WO '106.

Claim 10: WO '106 teaches the film is polyethylene. See page 6, last paragraph.

Claim 19: Otten et al teach the applicator comprises surfactants. See col. 4, lines 32-34.

Claim 12: WO '106 teaches the personal care composition may be a liquid, a gel, a lotion, a cream, a powder, a solid or any mixture thereof. See page 12 last paragraph.

Claim Rejections - 35 USC § 103

Claim 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Otten et al as applied to claim 1 above and further in view of FR 2,813,777.

Otten et al teach the glove/mitt as described above. Otten et al do not require a printed matter on the exterior of one of the panels; however, FR '777 teaches a disposable glove comprising three superposed layer of different materials wherein the first layer is soft non-woven light cotton fiber, the second is absorbent nonwoven

wadding material and the third impermeable film. The three layers are stitched, fused or glued together on two or three side of the periphery. The glove comprises a passage for a hand of the user to be inserted. The periphery of the passage comprises an elastic part for tightening of the glove on the wrist of the user. The reference teaches the disposable glove comprises a written material. See page 3, lines 9-10.

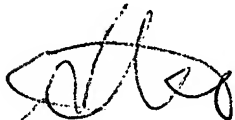
It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the desired written/printed matter to the exterior surface of one of the panels of Otten et al in order to provide usage information or for aesthetic reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abraham Bahta whose telephone number is (571) 272-1532. The examiner can normally be reached on Monday - Friday; 11:30 am - 8:00 pm.

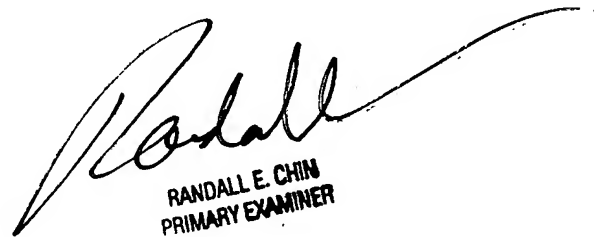
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Kim can be reached on (571) 272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. Bahta
08/15/05



RANDALL E. CHIN
PRIMARY EXAMINER